

REMARKS

Reconsideration and allowance of the subject application are respectfully requested. Claims 1-13 are all the claims pending in the application. Claims 6-13 are withdrawn from consideration. In response to the Office Action, Applicant respectfully submits that the claims define patentable subject matter.

Claims 1-5 are rejected under 35 U.S.C. § 102(b) as being anticipated by newly cited Kuzma (U.S. Patent No. 5,771,289). Applicant respectfully traverses the prior art rejections.

The Examiner alleges that Kuzma discloses all of the features of independent claim 1. Applicant respectfully disagrees with the Examiner's position.

Kuzma discloses a method for transmitting electronic messages wherein payment is required for the transmission. A message is sent on the electronic post office 450, FIG. 5, wherein a sent message includes an electronic stamp whose validity is verified by an electronic stamper 208 (column 5, lines 31-47 and column 7, lines 8-50), wherein the electronic stamp is an element associated with paying for sending the message, and includes a value of the stamp (column 7, lines 8-50).

In other words, Kuzma discloses a method for routing an electronic message from a sender terminal to an addressee terminal. The routing terminal verifies and accepts a prepaid electronic stamp attached to the electronic message by the sender terminal as payment by the sender terminal for the transmission.

However, Kuzma fails to teach or suggest the use of an electronic stamp in the context of a Multimedia Message Service (MMS), in the environment of Mobiles phones. Therefore, there is no teaching or suggestion in Kuzma of "a multimedia message service wherein a message is

sent in a multimedia message service environment comprising a multimedia message service center, wherein a sent Multimedia Messaging Service message includes an electronic stamp whose validity is verified by said multimedia message service center”, as recited in claim 1.

Further, Applicant respectfully submits that there is no teaching or suggestion in Kuzma that the process of verification is between a stamp provider and the MMS center. The MMS center as claimed cannot be anticipated by the routing terminal as specified in US '289.

Accordingly, Applicant respectfully submits that independent claim 1 should be allowable because the cited reference does not teach or suggest all of the features of the claim. Claims 2-5 should also be allowable at least by virtue of its dependency on independent claim 1.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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